

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard Sapienza

Serial No.: 10/054,507

Filed: 11/12/01

For: ENVIRONMENTALLY BENIGN ANTI-ICING OR DEICING FLUIDS



Group Art Unit: 1755

Examiner: Green, A.

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TECHNOLOGY CENTER 1700**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

The owner, MLI Associates, LLC of one hundred (100) percent (%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,980,774. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above-disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under

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37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is the attorney of record. The terminal disclaimer fee under 37 CFR 1.20(d) is included. The Commissioner is hereby authorized to charge any additional fees required in connection with this paper to Deposit Account No. 08-1540.

July 2, 2002

Date



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